

Amendments to the Claims:

This listing of claims will replace all prior versions and listings of claims in the application:

Listing of Claims:

1. (Canceled)
2. (Currently amended) The nucleic acid of claim ~~[[1]]~~ ¹45, which is ~~genomic~~
~~DNA~~, cDNA, or RNA.

3-44. (Canceled)

- ¹ ~~45.~~ (New) An isolated nucleic acid selected from the group consisting of
 - (a) a nucleic acid that encodes an RRN3 polypeptide having the amino acid sequence set forth in SEQ ID NO:2, and

- (b) the full-length complement of the nucleic acid of (a).

- ³ ~~46.~~ (New) The nucleic acid of claim 45, which has the nucleotide sequence set forth in SEQ ID NO:1, or the full-length complement thereof.

- ⁴ ~~47.~~ (New) An expression construct comprising the following operably linked elements:

a transcriptional promoter;

a nucleic acid coding for an RRN3 polypeptide having the amino acid sequence set forth in SEQ ID NO:2; and

a transcriptional terminator.

See
Examiner's
A 7-21-04

3

Ronald H. Reeder et al.
Application No.: 09/932,678
Page 3

PATENT

~~5~~ 48. (New) The expression construct of claim ~~47~~⁴, wherein the nucleic acid coding for the RRN3 polypeptide has the nucleotide sequence set forth in SEQ ID NO:1.